

REMARKS

The rejection of claims 1, 2, 3, 4, 6 and 7 under 35 USC 112, first paragraph, as failing to comply with the written description requirement is respectfully traversed. The Examiner has alleged that the phrasing relating to the wording "side by side in parallel with the recording surface" is not supported in the specification as originally filed and constitutes "new matter". Applicant strongly disagrees with this allegation. However, to clarify the wording of claims 1 and 2 to overcome any misunderstanding or misinterpretation of the invention, claims 1 and 2 have been further amended to read "the plurality of projections being provided on said frame in addition to another projection which is provided on the lens holder being laterally disposed in an arrangement spaced side by side in parallel to one another relative to the recording surface". This should overcome the any misunderstanding regarding new matter. The specification on page 10, lines 29 to 34 to page 11, lines 1 to 10, page 14, the last three lines and page 15, first nine lines all support this wording. Moreover, figures 1, 2, 4, 5, 6, 10, 11, 12 and 13 all teach this relationship between the projections. In fact, in all of the figures, the projections 37a – 37b and projections 38a – 38b are laterally spaced side by side in parallel to one another relative to the recording surface.

The amended wording of claims 1 and 2 are intended to clarify the misinterpretation of claims 1 and 2 as alleged by the Examiner in paragraphs 5(a) and 5(b). The projections provided on the frame in Figure 13 are labeled 37a and 37b respectively. The projections on the suspension holder 24 are labeled 39a and 39b respectively. The plurality of projections on the frame, i.e. 37a or 37b, in addition to another projection provided on the lens holder i.e. projection 38a or 38b is disposed in an arrangement laterally spaced side by side in parallel to one another relative to the recording surface. The same is true for Figure 5 wherein at least one of the plurality of projections on the frame 37a or 37b in addition to another projection provided on the lens holder 38a or 38b are disposed in an arrangement laterally spaced side by side in parallel to one another relative to the recording surface. This overcomes any confusion raised by

the Examiner with regard to the earlier wording of claims 1 and 2. Accordingly, the rejection of claims 1, 2, 3, 4, 6 and 7 under 35 USC 112, first paragraph, and the rejection of claims 1-4 and 6-7 under 35 USC 112, second paragraph, should now be withdrawn.

The Examiner has also made a statement that Figure 5 compounds the confusion by not showing first projections having the elastic supports fixed thereto. In this regard both claim 2 and claim 5 were in error and have been amended. On page 14 of the specification, lines 15-16, the lens holder 14 is supported by the four cantilever springs 26a-26d which represent the plurality of elastic supports in each claim. Although this may have confused the Examiner relative to claim 2, the claims and specification are quite clear and consistent.

Although the Examiner's assumption that claim 1 is drawn to Figure 13 is correct, the function of the projections are the same i.e. to act as stoppers to restrict rotation of the lens holder in all of the claims 1, 2 and 5.

The rejection of claims 1, 2, 4 and 7 under 35 USC 102(b) as being anticipated by either Masunaga or Tomita ('661) or Tomiyama, et al is respectfully traversed.

Applicant would like to point out that in each of these rejections, the Examiner has failed to give any significance to the function of the projections acting as stoppers to restrict rotation of the lens holder. A rejection under 35 USC 102, to be proper, requires a reference to teach all of the features recited in a claim as well as to teach a function corresponding to the claimed function. Merely to recite a feature which has a totally different function unable to support the function as defined in the claims is not a satisfactory basis to reject the claims under 35 USC 102. Masunaga teaches

- ✓ projections 30a which do not act as stoppers to restrict rotation of the lens holder but instead teaches in column 7, lines 10-13, that the "extending projections 30a of a
- ✓ rectangular frame 30" hold the four suspension units 15 aligned in a row. No other
- ↖ function is given for projections 30a other than the statement in column 7, line 28 that the

joining blocks 153a, 153b are cut off from the projections 30a to separate the suspension unit 15. This also defines the function for the joining blocks 153a having no purpose relative to the function for the projections defined in claims 1, 2, 4 and 7. Moreover, Masunaga does not teach a projection on the frame in addition to another projection on the lens holder in an arrangement laterally spaced side by side in parallel to one another relative to the recording surface.

The above is also true for both the reference Tomita ('661) and Tomiyama, et al. In Tomita ('661) the Examiner refers to a plurality of projections 21' which are vertically aligned relative to one another and do not provide the function required as set forth in claims 1 and 2. Moreover, the Examiner's interpretation of the wings shown in Figure 9 do not show them laterally spaced from the projections 21' and also do not serve the function required in claims 1 and 2.

The reference Tomiyama, et al shows a plurality of members 2a – 2d and 6a – 6d which are so different in function from that of the projections 37a – 37b and 38a – 38b that there is no basis of comparison relative to this reference. Once again, to meet claimed limitations, the projections which the Examiner refers to in the references must also have a function which would be commensurate with the claimed function for the projections in the claims. In the present situation, this is not the case nor has the Examiner even attempted to make this allegation. Accordingly, the rejection of claims 1, 2, 4 and 7 under 35 USC 102(b) should be withdrawn.

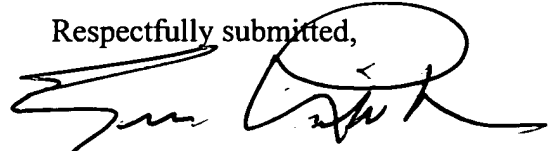
The rejection of claim 5 under 35 USC 102(b) as being anticipated by Tomiyama, et al is respectfully traversed.

Claim 5 has been amended to clarify the error regarding the elastic supports which are fixed to the lens holder not the first projections. This is not shown in Tomiyama, et al nor does Tomiyama, et al teach a functions for projections as required in all of the claims that is with the projections acting as stoppers that restrict rotation of the lens holder by the plurality of elastic supports.

For all of the above reasons, applicant clearly believes that claims 1-7 are patentable over the references of record.

Reconsideration and allowance of claims 1-7 is respectfully solicited.

Respectfully submitted,



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CLAIMS:

1. (Currently Amended) An optical pick-up device comprising:

a lens that focuses light onto a surface of a recording medium;

a lens holder that holds the lens;

a suspension holder that supports the lens holder disposed opposite a distal end of the lens holder;

(15)

a frame formed so as to be disposed opposite both lateral surfaces of the lens holder and the distal end of the lens holder, the frame supporting the suspension holder;

a plurality of elastic supports that movably support the lens holder, a distal end of the elastic supports mounted on the suspension holder and a proximal end retained by the lens holder; and

an actuator that drives the lens holder, the actuator including a focus coil, a tracking coil and at least one magnet,

wherein a plurality of projections are ^{37a,b / 37a,b} provided on at least one of the frame

and the suspension holder, with the projections acting as stoppers that restrict rotation of the lens holder so as to prevent excessive deformation of the elastic supports with at least one of said plurality of projections being provided on said frame in addition to another projection which is provided on the lens holder being laterally disposed in an arrangement spaced side by side in parallel to one another relative to with the recording surface. ^{37a,b}

2. (Currently Amended) An optical pick-up device comprising:

a lens that focuses light onto a surface of a recording medium;

a lens holder that holds the lens;

a suspension holder that supports the lens holder disposed opposite a distal end of the lens holder;

a frame formed so as to be disposed opposite both lateral surfaces of the lens holder and the distal end of the lens holder, the frame supporting the suspension holder;

a plurality of elastic supports that movably support the lens holder, a distal end of the elastic supports mounted on the suspension holder and a proximal end retained by the lens holder;

an actuator that drives the lens holder, the actuator including a focus coil, a tracking coil and at least one magnet,

and a plurality of projections disposed on the lens holder including first and second projections wherein the first projections are located at both sides thereof, with the elastic supports fixed to the lens holder ~~first projections~~ and wherein the second projections are separated from the first projections a predetermined distance, such that the distance separating the second projections from the recording surface is smaller than the distance separating the first projections from the recording surface;

each of said first projections and a respective one of said second projections being disposed in an arrangement side by side in parallel with respect to the recording surface and;

wherein the second projections project a sufficient distance from the lens holder such that, even if the first projections come into contact with the frame and the lens holder rotates about a projection end of the first projections, the rotation will be controlled by the second projections so that the elastic support is prevented from being deformed physically.

3. (Original) The optical pick-up device as claimed in claim 2, wherein at least one projection is provided at a position proximal of a position at which the plurality of elastic supports support the lens holder.

4. (Original) The optical pick-up device as claimed in claim 3, wherein at least two projections are provided on each of two lateral surfaces of either the frame or the lens holder.

5. (Currently Amended) An optical pick-up device comprising:

a lens that focuses light onto a surface of a recording medium;

a lens holder that holds the lens;

a suspension holder that supports the lens holder disposed opposite a distal end of the lens holder;

a frame formed so as to be disposed opposite both lateral surfaces of the lens holder and the distal end of the lens holder, the frame supporting the suspension holder;

a plurality of elastic supports that movably support the lens holder, a distal end of the elastic supports mounted on the suspension holder and a proximal end retained by the lens holder;

an actuator that drives the lens holder, the actuator including a focus coil, a tracking coil and at least one magnet,

and a plurality of projections disposed on the lens holder including first and second projections wherein the first projections are located at both sides thereof, with the elastic supports fixed to the lens holder ~~first projections~~ and wherein the second projections are separated from the first projections a predetermined distance, such that the

distance separating the second projections from the recording surface is smaller than the distance separating the first projections from the recording surface; and

wherein the plurality of projections is provided at least on the lateral surfaces of the lens holder toward the proximal end of the lens holder and on a surface of the suspension holder opposite the distal end of the lens holder with the projections acting as stoppers that restrict rotation of the lens holder by said plurality of elastic supports.

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6. (Previously Amended) The optical pick-up device as claimed in claim 2, wherein the elastic supports are cantilever springs.

7. (Previously Added) The optical pick-up device as claimed in claim 2 wherein the first projections and the second projections have outer surfaces at the respective ends thereof which project from the lens holder approximately the same distance.
